

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

**IN RE:** : **Bankruptcy No. 18-70245-JAD**  
**Brian K. Grumbling and** :  
**Patricia Grumbling,** : **Chapter 13**  
**Debtors** :  
**Brian K. Grumbling and** :  
**Patricia Grumbling,** : **Docket No.**  
**Movants** :  
**vs.** : **Related to Docket No. 82**  
:  
**Affirm, Inc.,** :  
**Apex Bank f/k/a Bank of Camden,** :  
**Applied Bank,** :  
**Associated Credit Services, Inc.,** :  
**Cambria Thrift Consumer Discount,** :  
**Capital One Bank, N.A.,** :  
**Citi Cards,** :  
**Comcast,** :  
**Comenity Bank/Kingsi,** :  
**Comenity Bank/Womwt,** :  
**Credit Management Company,** :  
**Dr. Leonard's Shop Now Pay Plan,** :  
**Eastern Revenue,** :  
**Encore Payment Systems,** :  
**Enhanced Recovery Co., LLC,** :  
**Fingerhut,** :  
**First Data,** :  
**First National Credit Card/Legacy,** :  
**First Savings Credit Card,** :  
**Gettington Customer Service,** :  
**Holiday Financial Service,** :  
**Internal Revenue Service,** :  
**James R. Moore, D.D.S.,** :  
**Lowry Radiology Associates, Inc.,** :  
**Merrick Bank,** :  
**Penelec,** :  
**PA Department of Revenue,** :  
**Remit Corporation,** :  
**Toyota Motor Credit,** :  
**Windber Area Authority,** :  
**Windber Medical Center,** :  
**Respondents** :  
:  
**and** :  
**Ronda J. Winnecour, Esquire,** :  
**Chapter 13 Trustee,** :  
**Additional Respondent** :

**ORDER APPROVING POSTPETITION AUTOMOBILE FINANCING**

This matter comes before the Court upon the Motion to Obtain Auto Financing, Docket No. 82 (“Motion”) filed by Debtors on March 21, 2022. A Certificate of No Objection (“CNO”) was not filed due to a response filed by the Chapter 13 Trustee on April 6, 2022, Docket No. 84. No other responses were filed/received in regards to the Motion. Based upon the foregoing, and for good cause shown, it is hereby **ORDERED, ADJUDGED, and DECREED** that:

1. The Motion, Docket No. 82, is **GRANTED** as provided by the terms of this *Order*. Debtors are authorized to obtain secured financing for the purchase of a replacement vehicle on the following terms:
  - a. the total amount of financing **shall not exceed Twenty-Five Thousand Dollars (\$25,000.00)**; and
  - b. the monthly payments made under the financing agreement **shall not exceed Four Hundred Fifty Dollars (\$450.00)**; and
  - c. the interest rate made under the financing agreement **shall not exceed 19.99%**.
2. To the extent that Debtors secure financing for the purchase of a new vehicle, such payments **shall be made through the Chapter 13 Plan**. Within **30 DAYS** of securing such financing, Debtors shall file:
  - a. An Amended Chapter 13 Plan; and
  - b. A report of financing
3. To ensure the prompt and timely payment of the automobile loan, Debtors shall make a supplemental payment to the Chapter 13 Trustee **within 7 days** of filing the report of financing (and each month thereafter as necessary) in an amount sufficient for the trustee to cover the installments due on the loan. The supplemental payments shall be in addition to the regular plan payment, pending confirmation of the amended plan.

4. Upon the filing of the report of financing, the Chapter 13 Trustee is authorized to cease making payments to Toyota Motor Credit on account of Claim No. 3. Pending confirmation of any amended plan providing for the new postpetition loan payments, the trustee is authorized to make monthly adequate protection payments to the postpetition automobile lender for the contract amount so long as sufficient supplemental funds are provided by Debtors.
5. Notwithstanding the inclusion of the postpetition loan within an Amended Chapter 13 Plan, the underlying terms of the loan shall not be modified absent the consent of the postpetition automobile lender.
6. Debtors shall serve copies of this Order on all creditors eligible to receive distributions through the Chapter 13 Plan and file proof of the same with the Court.

BY THE COURT:

DATED this 28th of April 2022.



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JEFFREY A. DELLER jah  
United States Bankruptcy Judge

Case Administrator to Mail to:  
Debtor(s)  
Counsel for Debtor(s)  
Ronda J. Winnecour, Esq.  
Office of the U.S. Trustee

FILED  
4/28/22 9:06 am  
CLERK  
U.S. BANKRUPTCY  
COURT - WDPA

In re:  
Brian K. Grumbling  
Patricia Grumbling  
Debtors

Case No. 18-70245-JAD  
Chapter 13

District/off: 0315-7  
Date Rcvd: Apr 28, 2022

User: auto  
Form ID: pdf900

Page 1 of 2  
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

**Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 30, 2022:**

Recip ID	Recipient Name and Address
db/jdb	+ Brian K. Grumbling, Patricia Grumbling, 300 11th Street, Windber, PA 15963-1559

TOTAL: 1

**Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.**  
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Apr 30, 2022

Signature: /s/Gustava Winters

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 28, 2022 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor Toyota Motor Credit Corporation bnicholas@kmllawgroup.com
CSU - OUCTS, PA Labor & Industry	ra-li-ucts-bankpitts@state.pa.us
Joseph Jasper Swartz	on behalf of Creditor PA Dept of Revenue RA-occbankruptcy2@state.pa.us RA-occbankruptcy6@state.pa.us
Kenneth P. Seitz	on behalf of Joint Debtor Patricia Grumbling thedebterasers@aol.com
Kenneth P. Seitz	on behalf of Debtor Brian K. Grumbling thedebterasers@aol.com
Kristen Wetzel Ladd	on behalf of Creditor Apex Bank f/k/a Bank of Camden kladd@utbf.com nanderson@utbf.com

District/off: 0315-7

User: auto

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Office of the United States Trustee

ustpregion03.pi.ecf@usdoj.gov

Ronda J. Winnecour

cmeccf@chapter13trusteewdpa.com

TOTAL: 8